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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD P. ROSENDALE,
Plaintiff,
v.

ORDER

FEDERAL NATIONAL MORTGAGE
CORPORATION,
Defendant.

Defendant.

On October 13, 2022, plaintiff, proceeding <u>prose</u>, initiated this action by filing a complaint. (Doc. #1). On November 22, 2022, defendant filed a partial motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. #6), and an answer to the complaint. (Doc. #7).

On December 5, 2022, the Court received a letter from plaintiff, which states: "I do intend to file an amended complaint as of right because of motion to dismiss is not answer." (Doc. #9). Plaintiff also requests an extension to file an amended complaint until January 6, 2023. (Id.)

Accordingly, it is HEREBY ORDERED:

- 1. By <u>January 6, 2023</u>, plaintiff shall file an amended complaint. The amended complaint will completely replace, not merely supplement, the existing complaint. Therefore, plaintiff must include in the amended complaint all information necessary for his claims.
- 2. By <u>January 27, 2023</u>, defendant shall either file an answer to the amended complaint or file a motion to dismiss the amended complaint.

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket.

Dated: December 5, 2022 White Plains, NY

SO ORDERED:

Vincent L. Briccetti

United States District Judge